

REMARKS

Claims 1-14 and 16-23 remain pending.

The Applicants respectfully request that the Examiner reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

Claims 1-14 and 16-23 over Croft in view of Gendel, Blasiak and Lebensfeld

In the Office Action, claims 1-14 and 16-23 were rejected under 35 USC 103(a) as allegedly being obvious over U.S. Pat. No. 6,490,439 to Croft et al. ("Croft") in view of U.S. Pat. No. 6,127,936 to Gendel et al. ("Gendel"), U.S. Patent No. 5,711,004 to Blasiak et al. ("Blasiak") and U.S. Patent No. 6,311,982 to Lebensfeld et al. ("Lebensfeld"). The Applicants respectfully traverse the rejection.

The Applicants respectfully suggest that the need to combine FOUR references is an indication of the non-obviousness of claims 1-14 and 16-23.

Claims 1-14 and 16-23 recite a system and method that determines an amount of quality achieved above a compliance to an acceptable level necessary to establish a presence in a piconet network, the acceptable level being configurable by a user of a wireless piconet device; and provides for an indication of a quality above an acceptable level.

The Examiner relied on the newly cited Blasiak and Lebensfeld to allegedly make up for the deficiencies in Croft in view of Genedel to arrive at the claimed features. In particular, the Examiner appears to have relied on Blasiak and Lebensfeld to allegedly disclose the same thing, i.e., an "adaptive signal quality (e.g. signal strength) threshold, set by a user for a wireless communication device to perform a particular function based on the signal quality, is a common practice" (see Office Action, page 3). The Applicants respectfully disagree.

The Examiner points to Blasiak at col. 5, lines 16-30 to allegedly disclose an "adaptive signal quality (e.g. signal strength) threshold, set by a user

for a wireless communication device to perform a particular function based on the signal quality, is a common practice” (see Office Action, page 3). Blasiak discloses use of a “signal quality threshold” that can be set to various thresholds depending upon the type of data being transmitted, i.e., voice versus data. However, the “signal quality threshold” that can be set to various thresholds depending upon the type of data being transmitted is a determination of a point at which hand-offs are forced (see col. 5, lines 27-30). Thus, Blasiak’s invention is unrelated to a system and method of providing any type of indication of a quality of a network, much less disclose or suggest an indication that is based on an amount of quality achieved above an acceptable level necessary to establish a presence in a piconet network, the acceptable level being configurable by a user of a wireless piconet device, as recited by claims 1-14 and 16-23.

Moreover, Blasiak lacks any application to the particular issues surrounding piconets. Thus, Blasiak fails to disclose or suggest application to the claimed piconet, much less disclose or suggest an indication that is based on an amount of quality achieved above a compliance to an acceptable level necessary to establish a presence in a piconet network, the acceptable level being configurable by a user of a wireless piconet device, as recited by claims 1-14 and 16-23. The Examiner completely ignored the context of Blasiak’s invention.

Moreover, modification of Croft, the primary reference allegedly being modified by the Examiner, would result in Croft using a “signal quality threshold” that can be set to various thresholds depending upon the type of data being transmitted to anything other than as a determination of a point at which hand-offs are forced. However, Croft’s invention is directed toward a lighted antenna used to provide a visual indication of a wireless signal to a user. Modification of Croft’s invention for a lighted antenna as a determination of a point at which hand-offs are forced is nonsensical. Croft’s invention is completely unrelated to hand-offs. Thus, modification of Croft with Blasiak’s invention is nonsensical and a completely unobvious modification of Croft.

The Examiner points to Lebensfeld at fig. 5 and col. 10, lines 46-65 to allegedly disclose an “adaptive signal quality (e.g. signal strength) threshold,

set by a user for a wireless communication device to perform a particular function based on the signal quality, is a common practice" (see Office Action, page 3).

Lebensfeld's fig. 5 is a circuit diagram of a receiver used to play the disclosed game. Lebensfeld at col. 10, lines 46-65 simply discloses a manually adjustable threshold of a detected signal strength as a determiner of when to output different audio messages. However, Lebensfeld's invention, like Blasiak invention, fails to disclose or suggest application to the claimed piconet, much less disclose or suggest an indication that is based on an amount of quality achieved above a compliance to an acceptable level necessary to establish a presence in a piconet network, the acceptable level being configurable by a user of a wireless piconet device, as recited by claims 1-14 and 16-23.

Moreover, Lebensfeld relies on analog communications between a transmitter and receiver (see fig. 5). Lebensfeld invention lacks any relevance to digital networks, much less to a piconet. Modification of Croft that relies on digital communications with an analog signal strength determiner from Lebensfeld is nonsensical since providing no functionality to Croft. The Examiner has completely ignored the context of Lebensfeld's invention.

Thus, the Examiner's took Blasiak's disclosure and Lebensfeld's disclosure completely out of context. Taking Blasiak's disclosure and Lebensfeld's disclosure within context fails to even disclose application to the unique problems associated with piconets, much less provide for any type of indication of a quality above an acceptable level, as recited by claims 1-14 and 16-23.

Croft in view of Gendel, Blasiak and Lebensfeld still fails to disclose or suggest a system and method that determines an amount of quality achieved above a compliance to an acceptable level necessary to establish a presence in a piconet network, the acceptable level being configurable by a user of a wireless piconet device; and provides for an indication of a quality above an acceptable level, as recited by claims 1-14 and 16-23.

A benefit of such a system and method that determines an amount of quality achieved above a compliance to an acceptable link quality level necessary to establish a presence in a piconet network, the acceptable level

being configurable by a user of a wireless piconet device; and provides for an indication of a quality above an acceptable level is, e.g., a more informed indication of connection quality needed for a particular application. In many applications, a user is only interested in receiving an indication of a link quality that would support a specific application. Such an application could be video and/or audio transmissions. Providing a user with an acceptable link quality level necessary to establish a presence in a piconet network, the acceptable level being configurable by a user of a wireless piconet device allows a user to determine if a link quality will meet a user's requirements for a particular application. The cited prior art fails to disclose or suggest the claimed features having such benefits.

For at least all the above reasons, claims 1-14 and 16-23 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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